

Notice of Allowability

Application No.

10/797,540

Examiner

Christopher Boswell

Applicant(s)

DERMAN, JAY S.

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed March 11, 2004.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ The drawings filed on 11 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION***Allowable Subject Matter***

Claims 1-10 are allowed. The following is an examiner's statement of reasons for allowance: The claims are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that of a key ring holder with a tubular housing with a cavity that extends from a top end to a distal end, the housing having a planar disc-shaped cap portion that closes off the top end of the housing, a substantially planar disc-shaped nut having a circular axial opening, means for removably attaching the nut to the housing, a sleeve shaped to slidably fit over the housing, a first magnetic disc attached to a lower face of the cap portion, and an elongated, rigid shaft that is sized to extend through the housing, the shaft having a second magnetic disc, where the shaft is normally disposed axially inside the cavity of the housing, and held tightly at one end by an attractive magnetic force.

U.S. Patent Number 3,111,736 to Budreck discloses a key ring holder with a housing having a cylindrical body portion that has a coaxial, cylindrical cavity with a magnetic disc attached to the lower face of the housing, and a rigid shaft having a second magnetic disc attached thereto. However, Budreck fails to disclose a sleeve sized to fit over the housing.

U.S. Patent Number 5,226,252 to Haluska discloses a key ring holder having a housing and a sleeve sized and shaped to slidably fit over the housing, with defined space for wrapping a note or photograph around body portions. However, Haluska does not disclose an attractive magnetic force to attach the housing with the sleeve.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to detachable key ring holders:

U.S. Patent Number 6,640,398 to Hoffman, U.S. Patent Number 5,457,976 to Stillwagon, U.S. Patent Number 5,209,090 to Stillwagon, U.S. Patent Number 4,901,405 to Grover et al., U.S. Patent Number 3,600,917 to Krock, U.S. Patent Number 3,192,747 to Stupell et al., U.S. Patent Number 3,186,052 to Bobrow, U.S. Patent Number 3,141,214 to Bey, U.S. Patent Number 3,127,653 to Budreck, U.S. Patent Number 3,108,346 to Bey, U.S. Patent Number 2,975,497 to Budreck.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (703) 305-4067. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CJB *CB*
October 15, 2004

DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600